

 <p>Financial Assistance Award</p> <p>DENALI COMMISSION 510 L Street, Suite 410 Anchorage, Alaska 99501 (907) 271-1414 (phone) (907) 271-1415 (fax) www.denali.gov</p>		Award Number	01508-02		
		Award Title	Mertarvik Town Site Development		
		Performance Period	November 1, 2016 through December 31, 2020		
Authority 112 Stat 1854	CFDA Number 90.100	<u>Recipient Organization & Address</u> Alaska Native Tribal Health Consortium Inc. 4000 Ambassador Dr Alaska Native Tribal Health Consortium			
Denali Commission Finance Officer Certification		Phone: [NO DATA] Recipient DUNS # 071375658 TIN # 920162721			
<u>Cost Share Distribution Table</u>					
Accounting Code	New Funding		Prior Period Funding		Total
	Denali Commission	Other Contributors	Denali Commission	Other Contributors	
95670000	\$19,000,342.00		\$1,300,000.00		\$20,300,342.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
ANTHC		\$0.00		\$47,000.00	\$47,000.00
USDA RD and SOA		\$0.00		\$75,000.00	\$75,000.00
State of Alaska Match Funds		\$2,500,000.00		\$0.00	\$2,500,000.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
Total	\$19,000,342.00	\$2,500,000.00	\$1,300,000.00	\$122,000.00	\$22,922,342.00
This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding.					
Signature of Authorized Official - Denali Commission		Typed Name and Title		Date	
Electronically Signed		Mr. Joel Neimeyer Federal Co-Chair		04/19/2018	

AWARD ATTACHMENTS

Alaska Native Tribal Health Consortium Inc.

01508-02

1. Terms and Conditions
2. Attachment A

***Financial Assistance Award 1508
Between the Denali Commission and Alaska Native Tribal Health Consortium
For Mertarvik Town Site Development
Amendment 2
12 April 2018***

Background

ANTHC carries out various programs and initiatives to improve access to health care, reduce health hazards, and promote the long-term sustainability of health and sanitation facilities and other public health infrastructure, including improving access to adequate energy supplies, transportation, and communication systems; designing, managing and implementing assessments, initiatives and interventions for climate change adaptation; and administering collaborative and other cooperative efforts to sustain operations of public health facilities and related infrastructure.

In November 2016, the Denali Commission (Commission) issued Financial Assistance Award 1508 to the Alaska Native Tribal Health Consortium (ANTHC) to develop a Community Layout Plan (CLP) for the new Mertarvik village site. The CLP was completed and subsequently adopted by the Newtok Village Council (NVC) by Resolution No. 06222017 dated 22 June 2017.

In July through October 2017, NVC began the development of Mertarvik according to the referenced CLP. Activities initiated during the 2017 construction season included equipment procurement and mobilization, initial quarry development, rough quarry access road construction and residential home construction. During this period of time ANTHC provided sanitation facilities design services as well as consultations regarding strategic planning of development activities. During this same period DOWL was providing overall project/program management services for the development of Mertarvik. On 31 March 2018, the NVC Tribal Council met with the Denali Commission and requested that ANTHC assume overall project/program management for Mertarvik development. This request was formalized via NVC Resolution No. 04022018, dated 2 April 2018.

This amendment to Award 1508 is being made to assign and fund overall project/program management responsibilities to ANTHC. The goal of the scope and funding being added via this amendment is to sufficiently develop Mertarvik infrastructure so that an initial contingent of residents can occupy the village full-time starting October 2019.

Changes to the Award Conditions

1. Change title of the Award to “Mertarvik Town Site Development”
2. Scope: Add the scope of work described in Attachment A dated 12 April 2018
3. Budget: Increase funding by \$19,000,342
4. Performance Period: Change end date to 31 December 2020

5. Special Provisions: Section 14 of the original Award is amended as follows

Key Staff: add Gavin Dixon (Program Manager), and David Beveridge (ANTHC/DEHE Operations Director)

Federal Property Interests and Reporting Requirements: Apply per 2 CFR 200.329. Reporting will be biennially, to begin at the end of the performance period.

Bonds and Insurance: The Denali Commission shall be named as an Additional Insured on the ANTHC Liability Insurance Policy, as well as on the Liability Insurance Policy of the Contractor(s) selected to build infrastructure in Mertarvik, and all other professional services consultants that may be retained during the course of the project.

More detailed information related to the scope of work, deliverables, budget, delivery method, and schedule are included in Attachment A dated 12 April 2018.

There are no other changes to the original Financial Assistance Award

Financial Assistance Award #1508
Between the Denali Commission and ANTHC
For Mertarvik Town Site Development
Amendment 2 – Attachment A
12 April 2018

SCOPE OF WORK

Program Management

ANTHC will provide a full time Program Manager (PM) to organize, plan, design and implement design and construction activities in Mertarvik. Program Management duties will include the following elements:

- Prepare a Master Project Implementation Plan (MIP) including overall budget and schedule
- Recommend delivery methods for individual (sub) projects and support activities
- Prepare Project Specific Work Plans (PWP's)
- Coordinate the selection of project consultants and contractors
- Negotiate and manage consultant contracts
- Coordinate and manage any ANTHC self-performed work (design and construction)
- Coordinate and track grant/funding requests
- Coordinate with A-DOT&PF and A-DEED on the new airport and school projects that will be funded by the Federal Aviation Administration and State of Alaska
- Prepare and maintain cash flow projections
- Review design documents for constructability and value engineering opportunities
- Coordinate all required permits and government approvals
- Chair the Steering Committee and coordinate activities of funding agencies
- Analyze local labor resources and assist in developing local labor criteria/requirements
- Prepare quarterly status reports (scope, schedule, budget) for the Newtok Village Council (NVC) and Newtok Native Corporation (NNC); share these reports with other agencies and contractors as required to ensure coordination of activities
- Conduct a monthly status meeting with the Commission's Village Infrastructure Protection (VIP) Program Manager

MIP: Development of the MIP shall be guided by the Community Layout Plan (CLP) and December 2017 Overview Document both of which have already been approved by NVC. The overall goal is year-round occupancy of Mertarvik for some Newtok residents beginning 1 October 2019. Accordingly, the 2018 and 2019 design and construction plans shall be established to maximize the number of Mertarvik residents while balancing the need for both residential housing and housing support infrastructure (roads, trails, sanitation, communication, bulk fuel, and power facilities). The MIP budget shall illustrate how State or Federal match requirements will be satisfied. The MIP schedule shall give priority to projects that use existing match funds to the extent practicable. Coordinate review and approval of the MIP with the Denali Commission.

PWP's: Identify specific design and construction elements that will be funded and executed under this Award in accordance with the MIP and prepare project specific work plans (PWP's) for each element. Allocation of Commission funding to specific projects will be informed by pending funding decisions of both state and federal entities. These funding decisions include but are not limited to resolution of NVC grant applications to the United States Department of Agriculture (USDA) High Energy Cost Grant program, Federal Emergency Management Administration (FEMA) Pre-disaster Mitigation program, and to the U.S. Department of Defense (DOD) Innovative Readiness Training (IRT) program. Design and construction funding in this Award will be utilized to fund critical infrastructure projects identified in the MIP that are not otherwise fully funded by other federal, state and/or non-federal programs.

Upon selection of individual projects for implementation with Commission funding, the Program Manager shall develop a unique PWP for each project. The PWP shall include a detailed scope of work, recommended delivery method for design, construction and construction management, project estimate/budget, and schedule. For self-performed ANTHC work, the budget shall include a delineation of staff and level of effort (in hours) to complete each individual task. PWP's shall be provided for timely review and approval by the Denali Commission.

Planning and Design Services

The scope of services managed by the Program Manager may include residential housing facilities, transportation facilities, water and wastewater facilities, energy facilities, communication facilities, and other public infrastructure delineated in the Community Layout Plan and necessary to support a viable community in Mertarvik. Design activities may also include construction support facilities such as construction man-camps, an equipment maintenance building, and quarry development plans.

The Program Manager will ensure that all design work is completed in accordance with the requirements of the entities likely to fund subsequent construction. For example, design for projects which may be constructed utilizing Indian Health Service (IHS), Environmental Protection Agency (EPA), and/or USDA Rural Development sanitation facilities funding shall adhere to the established process for developing Preliminary Engineering Reports (PER). PER documents shall be completed in accordance with the most current interagency format approved by the respective programs. Approved PER documents will be utilized to support funding applications for additional design and/or construction funding.

For all design work, formal reviews shall be conducted at the Conceptual, 65%, and 95% completion milestones. All design reviews shall be conducted in accordance with existing ANTHC design review guidelines. Designs shall comply with relevant state and federal requirements. All design documents, including PERs, shall be sealed by an engineer registered in the State of Alaska.

Geotechnical Investigations: An initial geotechnical field investigation at the new village site was conducted in 2017. The Program Manager shall coordinate the collection of additional geotechnical information required in order to complete final designs for individual projects.

Land Survey Support: Significant topographic and other land survey information at the new village site already exists. The Program Manager shall coordinate the collection of additional survey data required to:

- 1) Complete final designs of individual projects
- 2) Complete the final townsite plat in accordance with the adopted CLP
- 3) Support development of the quarry

To the greatest extent possible, survey field work shall be coordinated to minimize the number of site mobilizations required to complete the work.

Environmental Documentation: An Environmental Impact Statement (EIS) has been completed by the Denali Commission and the Federal Aviation Administration for all of the infrastructure development work defined in the CLP. The Record of Decision (ROD) for the EIS will be executed by 20 April 2018. For construction work funded by Commission, ANTHC shall complete a pre-construction review to verify consistency with the EIS and ROD. ANTHC shall also complete a Section 106 Consultation with the State Historic Preservation Office (SHPO) for projects funded by the Commission. Both the consistency review and SHPO consultation shall be documented and submitted to the Commission for review and approval. If either the consistency review or the SHPO consultation indicates the need for supplemental environmental review, then ANTHC shall prepare a recommendation for completing the supplemental work.

Construction Services

Construction may include residential housing and/or public housing, transportation facilities, water and wastewater facilities, energy facilities, communication facilities, and other public infrastructure defined in the CLP and necessary to support a viable community in Mertarvik. Construction may also include support facilities such as man-camps, an equipment maintenance building, and quarry development/ operations. All facilities and infrastructure will be completed and turned over to the Newtok Village Council or other appropriate entity.

During construction, ANTHC will provide contracting and construction management services per ANTHC procurement policies in accordance with individual Project Work Plans. In general, these services will include:

- Coordinate completion of all construction permitting including USACE Section 404 permits
- Coordinate the submittal and shop drawing process
- Review and approve contractor Schedule of Values
- Review and approve construction schedules
- Coordinate Requests for Information (RFI's)

- Review contractor's Quality Control plans and coordinate implementation
- Develop a Quality Assurance plan that includes:
 - regular or full-time construction observations
 - code required special inspections
 - an appropriate level of material testing
- Coordinate periodic observations
- Review and approve construction pay applications
- Negotiate change order requests
- Review and resolve claims
- Monitor compliance with requirements in grants and other funding documents
- Facilitate construction coordination meetings
- Coordinate Owner furnished materials, equipment and/or systems
- Coordinate IRT activities
- Coordinate substantial completion and final inspections
- Coordinate Owner training, commissioning, and the transmittal of operation & maintenance, warranty documentation, and record drawings
- Prepare contract close-out documentation

Award Monitoring

In addition to standard quarterly reporting required by the general terms and conditions of this Award, ANTHC is required to prepare and submit an annual Relocation Status Report to the Commission by the end of each federal fiscal year (30 September). The focus of the annual report shall be an analysis of the total Project and Award budgets, and total funding picture as informed by approved PWP's, federal and state funding decisions, actual design and construction costs, and updates to the MIP. The Commission will use the annual report to update the Award 1508 Budget and Funding summary, including match requirements and allowable indirect costs, and other scope and Award conditions/provisions as necessary.

DELIVERABLES

- Cooperative Project Agreement between ANTHC and NVC
- Agreement between ANTHC and NNC
- Other formal agreements as necessary
- Program Management and Support Services
- Master Implementation Plan (MIP)
- Project Work Plans (PWP's)
- Grant applications
- Construction RFP(s)
- Comprehensive quarry development plan
- Individual project design plans and specifications
- Individual project construction and regulatory permits
- Trip reports for all site visits

- Meeting minutes
- Quarterly comprehensive budget report for distribution to all funders
- Annual Status Report
- Completed projects

BUDGET

Approximately \$40 million has been invested in the development of Mertarvik over the last 10 years. Funding for prior investments was provided by the State of Alaska, Department of Defense through their Innovative Readiness Training (IRT) Program, Department of Interior, Department of Commerce, Environmental Protection Agency, Federal Aviation Administration, Department of Housing and Urban Development, US Army Corps of Engineers, Denali Commission and the Fairbanks Lions Club. It has been estimated that an additional \$124 million is needed in order to complete the relocation of 375 residents from Newtok to Mertarvik. The Commission is making an additional \$19,000,342 available for the project via this Amendment 2 to Financial Assistance Award 1508. Additional budget and funding detail related to the projects being supported by the Commission via this Award is provided on pages 8 and 9.

Allowable indirect costs and match requirements will be tracked on a regular basis in the context of the overall Award budget and available funding. Once all available match funding is obligated against construction contracts/activities, no further construction contracts/activities may commence until sufficient additional match funds are secured.

DELIVERY METHOD

General

ANTHC will establish a separate Cooperative Project Agreement (CPA) between ANTHC and NVC. The CPA shall include a procedure for NVC approval of the minimum acceptable level of sanitation, transportation, fuel storage, power generation/distribution and other critical infrastructure needed to support Mertarvik homes to be occupied in 2019.

ANTHC will establish separate formal agreements with NNC and other entities such as Calista Corporation as necessary to address issues such as site access, quarry development, economic development projects, etc.

No costs pursuant to this Amendment may be incurred until the CPA is executed. If ANTHC and NVC do not execute a CPA by 1 June 2018 the Commission may de-obligate all funds originally obligated pursuant to this Amendment, and begin to investigate the possibility of using another federal or state partner to complete the scope of work. In this scenario ANTHC and the Commission acknowledge that no substantive construction will take place in 2018.

No funding from this award may be used for existing or expanded NVC project management, planning, design, and/or construction contracts without Denali Commission Approval. NVC

administrative costs and local coordination expenses will be solely covered under Denali Commission Award 1491.

Program Management

ANTHC will self-perform Program Management services via a full-time ANTHC employee. Contracting support for the Program Manager will be provided utilizing in-house ANTHC resources. Technical design and construction support will be provided through a combination of private sector consultant and in-house ANTHC resources.

Planning and Design

The planning and design of horizontal and vertical facilities/infrastructure (transportation, housing, energy and communication systems) will be procured through ANTHC procurement procedures. Sanitation facilities planning and design may be self-performed by ANTHC to the extent that the work can be completed within the time frames dictated by the Master Implementation Plan.

Geotechnical investigations, laboratory and materials testing, and reporting will be procured through existing ANTHC term contracts where possible. Topographical and other land survey work in support of all design and construction efforts may be self-performed by ANTHC if it is determined that this is the most cost-effective approach.

Construction

In general, project construction shall be procured via a competitive solicitation issued by the ANTHC Contracting Office. Construction contracts shall be bi-lateral agreements between ANTHC and the Construction Contractor(s). All construction RFP's and IFB's issued by ANTHC shall include a requirement that potential contractors submit a local hire plan with specific goals as a part of their proposals/bids.

ANTHC shall attempt to develop and compete a best value "Master Builder" Indefinite Delivery Indefinite Quantity (IDIQ) construction solicitation and award a single contract that will be the primary means for constructing projects with Denali Commission funds, and other agency funds when allowed. To the greatest extent possible, ANTHC will coordinate with other potential funders to ensure that this construction procurement methodology is an acceptable vehicle for awarding construction contracts using said agency funding. ANTHC shall provide an opportunity for an elected Newtok Village Council member to participate in the selection process for all competitively bid construction contracts greater than \$2 million.

Sole-source negotiated 8A contracting, design-build, and ANTHC managed force-account construction may be considered as the delivery method for specific construction PWP's. Prior to recommending one of these delivery methods, ANTHC shall confirm that the approach is consistent with the approved MIP and that it can be implemented without interfering with

Master Builder activities. Any force account activities shall be managed according to existing ANTHC policies and procedures regarding force account construction activities.

Construction management services may be procured via ANTHC contracts, or self-performed by ANTHC if it is determined that this is the most cost-effective approach.

Cooperative Agreement Provisions

ANTHC acknowledges that there are multiple ongoing activities related to the relocation project that may inform or impact the scope of work in Award 1508. During project delivery, ANTHC and its sub-consultants will coordinate with other agencies, consultants, or contractors concurrently working on the relocation effort.

ANTHC and the Commission agree to cooperate and collaborate during the relocation project. ANTHC understands that the Commission will be substantially involved in implementing the project or components of the project. Specifically, the Commission will:

- Review and approve the CPA between ANTHC and NVC
- Review and approve the MIP
- Review and approve the Agreement between ANTHC and NNC
- Review and approve PWPs prior to commencing the work
- Review and approve Quarry Development Plan
- Participate in design consultant and contractor Selection Panels
- Review and approve all contracts and/or sub-award agreements to ensure compliance with Award 1508 terms and conditions, Commission policies, resolutions and standards, and 2 CFR 200.

SCHEDULE

The Period of Performance for this FAA is 15 April 2018 through 31 December 2020. Key milestones are summarized below.

Master Implementation Plan	20 April 2018
Cooperative Project Agreement with NVC	1 May 2018
Award Primary Construction Contract	1 July 2018
PWPs for 2018 Design and Construction	30 June 2018
PWPs for 2019 Construction	31 October 2018
Newtok Pioneers Relocate to Mertarvik	31 October 2019
Warranty and Financial Closeout	31 December 2020

BUDGET				
Line	Item/Activity	Provided By	Amount	Basis/Notes ¹
1	Original Award and Amendment 1 Scope			
2	Project Management and Oversight			
3	Project Research, Development, and Planning	ANTHC	\$23,000	Approx. 290 hours @ \$80/hour (In-kind contribution)
4	Senior Oversight and Consultation	ANTHC	\$24,000	Approx. 4 hours/week x 75 weeks @ \$80/hour (In-kind contribution)
5	Project Manager	ANTHC	\$36,000	Approx 8 hrs/week x 75 weeks @ \$60/hour
6	Site Planning			
7	Townsite Plan Update and Preliminary Platting	ANTHC	\$205,000	Updated based on actuals at 95% complete
8	Geotechnical Investigation	Contractor	\$447,500	Term Contractor Delivery Order dated 9 March 17; amended 12 July 17
9	Topographical Survey	ANTHC	\$45,000	Updated based on actuals at 95% complete
10	Topographical Survey and Platting	Contractor	\$170,000	Term Contractor Delivery Order Dated 13 June 17
11	Sanitation Facilities Design			
12	Water Source Analysis, and Washeteria/WTP PER	ANTHC	\$162,500	Cost based on ANTHC PWP dated 11 July 17 and water source analysis estimate from Golder Assoc. dated 23 Aug 2017; Indirect calculation does not include the \$75K SOA/USRDA contribution included in this line item
13	Landfill Design and Permitting	ANTHC	\$87,500	Based on ANTHC Project Work Plans dated 11 July 17; and updated 31 August 7
	Water/Wastewater Service PER	ANTHC	\$72,000	
15	Indirect Costs ²			
16	25.7%	ANTHC	\$149,800	Applied to lines 5, 7, 9, 13, 14, portion of 12 funded by DC, and the first \$25K of 8 and 10
17				
18		Subtotal	\$1,422,300	
19		Rounded	\$1,422,000	
20	Amendment 2 Scope			
21	Program Management			
22	Full Time Program Manager	ANTHC	\$265,000	Approx. \$75/hour x 2,080 hour/year x 1.7 year award period
23	Contracting Support	ANTHC	\$66,000	Approx. \$75/hour x 520 hour/year x 1.7 year award period
24	Technical Support	ANTHC	\$124,000	Approx. \$70/hour x 1,040 hour/year x 1.7 year award period
25	Travel	ANTHC	\$57,000	Approx. 24 trips/year @ \$1,400/trip x 1.7 year award period
26	Mertarvik Development			
27	Design and Construction	Various ³	\$19,449,107	To be allocated according to MIP and PWP process
28	Indirect Costs ²			
29	25.7%	ANTHC	\$116,935	Applied to lines 22-24
30				
31		Subtotal	\$20,078,042	
32				
33		Total	\$21,500,342	

ADDITIONAL NOTES

1. ANTHC "Pool" costs are authorized for ANTHC direct labor costs in accordance with an October 2015 Pool Cost Analysis report provided to and accepted by the Commission; these costs are included in the hourly rates referenced below.
2. Indirect costs are based on a rate of 25.7% approved by the US Department of Health and Human Services on 8 November 2016. Estimates of allowable indirect costs in accordance with 2 CFR 200 will be included in individual PWP budgets.
3. The delivery method for individual project elements will be established in the PWP process described in Appendix A to this FAA.
4. Total match requirements for individual projects will be established in individual PWP budgets.

FUNDING				
<i>Line</i>	Source	Reference	Amount	Notes
34	Denali Commission	1508.00	\$1,130,000	
35	ANTHC	1508.00	\$47,000	In-kind contribution from ANTHC
36	Denali Commission	1508.01	\$170,000	
37	USDA RD and SOA	1508.01	\$75,000	For line 12 scope; ref: ANTHC Project No. AN-17-U0Y; 75% USDA, 25% SOA
38	Denali Commission	1508.02	\$102,585	From FY2017 Work Plan line 16
39	Denali Commission	1508.02	\$1,500,000	From FY2018 Work Plan line 25
40	Denali Commission	1508.02	\$15,000,000	Supplemental FY2018 Base appropriation
41	Denali Commission	1508.02	\$2,397,757	Additional prior year unobligated Base funds per Federal Co-Chair
42	State of Alaska Match Funds ⁴	1508.02	\$2,500,000	Roads/waterfront funds available at DCRA; reference SLA 2016 Enrolled SB 138
43	Total		\$22,922,342	
44	Existing Funding	1508.01	\$1,422,000	Through Amendment 1
45	Total New Obligations & Commitments This Action	1508.02	\$21,500,342	
46	Shortfall		\$0	With respect to the above budget only, not the overall cost to develop Mertarvik

47	Total New Denali Commission Funding This Action	✓	\$19,000,342	
48	Total Denali Commission Funding via This Award To Date		\$20,300,342	
49	Total Construction State Match Funding Committed To Date		\$2,500,000	12.9 % of line 27
50	Total Other Funding Obligated To Date		\$122,000	
51			\$22,922,342	check sum for line 43